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July 8, 2004

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JUL 14 2004

Federal Communications Commission  
Office of the Secretary

**VIA FEDERAL EXPRESS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Time Warner ResCom of New York, LLC; Section 63.71 Application;  
WC Docket No. 04-229

Dear Ms. Dortch:

The purpose of this letter is to inform the Commission that Time Warner ResCom of New York LLC ("Time Warner") has reviewed the comment of Mr. Barry Silverstein, filed in this proceeding on June 28, 2004, and has discussed the issue with Mr. Silverstein. As a reasonable accommodation, Time Warner offered to pay Mr. Silverstein's switching fee should he select another local service provider, as well the fees incurred by any other customer that makes a similar request. Mr. Silverstein rejected this offer and Time Warner therefore refers the matter to the Commission for resolution.

Time Warner has demonstrated full compliance with the requirements of 47 C.F.R. § 63.71, and has accordingly met the requirements for streamlined treatment. In fact, in addition to the April 14 and May 14 notices provided with Time Warner's May 20, 2004 filing, Time Warner sent follow-up notices to all of its affected customers, including Mr. Silverstein, on June 15 and June 30, 2004. Copies of these notices are attached. Time Warner respectfully submits that as it has taken all reasonable steps to resolve Mr. Silverstein's complaint, its application pursuant to 47 U.S.C. § 214(a) to discontinue the services specified in its May 20, 2004 filing should be granted.

Marlene H. Dortch, Secretary  
Federal Communications Commission  
July 8, 2004  
Page 2

Please call me at (617) 748-6847 if you have any questions, or wish to discuss this matter further.

Very truly yours,



Meabh Purcell

MP:rtm

cc: Denise Coca, Esq.  
Brian T. FitzGerald, Esq.  
Julie Patterson, Esq.

Bs96454

Time Warner Cable  
21 Mt. Hope Avenue  
Rochester, NY 14620-1090

June 11, 2004



SCOTT LARocca  
10 WINDELIN DR  
HENRIETTA, NY 14467-8918  
|||||

**THIS IS A FINAL NOTICE: YOU MUST CHOOSE A NEW LOCAL  
TELEPHONE SERVICE PROVIDER IMMEDIATELY OR YOU WILL LOSE  
YOUR LOCAL TELEPHONE SERVICE.**

Dear Time Warner Cable Telephone Customer,

Thank you again for being a loyal Time Warner Cable customer. As referenced in our recent letters to you, we regret to inform you that as of July 15, 2004, Time Warner Cable will no longer provide the local telephone service it offers you today. *If you have already made arrangements to switch your service to another carrier or to our new Digital Phone service, please disregard this notification.*

**ALERT: YOUR ACTION IS REQUIRED! YOU MUST SELECT A NEW  
LOCAL TELEPHONE PROVIDER IMMEDIATELY OR YOU WILL LOSE  
YOUR LOCAL TELEPHONE SERVICE.**

You may find a list of carriers in your local telephone directory, and for your convenience we have included below a list of carriers serving your area, along with their telephone numbers. Be aware that there may be a fee involved with changing your service to one of these carriers. And, as we informed you previously, Time Warner Cable is offering a new residential all-inclusive phone service that you may also choose by calling our office at the number below. Remember that you are free to select the local carrier of your choice. If you require assistance, please contact Time Warner Cable at 756-1969.

Again, thank you for being a valued customer, and we regret any inconvenience that this may cause you.

Sincerely,

Time Warner Cable

Frontier Telephone Company: 777-HOME (4663)  
Choice One Communications: 888-8 SAVE 20  
Time Warner Cable Digital Phone: 756-1969

71 Mt. Hope Avenue  
Rochester, NY 14620-1090



June 28, 2004

Joseph Lyman  
10 Manhattan Square Dr Apt 8X  
Rochester, NY 14607

**FINAL NOTICE**  
**YOU MUST CHOOSE A NEW LOCAL TELEPHONE SERVICE PROVIDER**  
**IMMEDIATELY OR YOU WILL LOSE YOUR LOCAL TELEPHONE**  
**SERVICE.**

Dear Joseph Lyman,

This will be your final notice that as of July 15, 2004, Time Warner Cable will no longer provide the local telephone service it offers you today. If you wish to keep the same phone number that you currently have, you need to respond to this letter by July 1<sup>st</sup>.

**YOUR ACTION IS REQUIRED! YOU MUST SELECT A NEW LOCAL**  
**TELEPHONE PROVIDER IMMEDIATELY OR YOU WILL LOSE YOUR**  
**LOCAL TELEPHONE SERVICE.**

You may find a list of carriers in your local telephone directory, and for your convenience we have included below a list of carriers serving your area, along with their telephone numbers. Be aware that there may be a fee involved with changing your service to one of these carriers. And, as we informed you previously, Time Warner Cable is offering a new residential all-inclusive phone service that you may also choose by calling our office at the number below. Remember that you are free to elect the local carrier of your choice. If you require assistance, please contact Time Warner Cable at 756-1969.

Again, thank you for being a valued customer, and we regret any inconvenience that this may cause you.

Sincerely,

Time Warner Cable

Frontier Telephone Company: 777-HOME (4663)  
Choice One Communications: 888-8 SAVE 20  
Time Warner Cable Digital Phone: 756-1969